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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 DAVID RUSSELL HART,

13 Plaintiff,

CIV. S-04-2497-DFL-PAN-PS

14 v.

15 COMMISSIONER OF INTERNAL
16 REVENUE SERVICE,

ORDER

17 Defendant.
_____ /

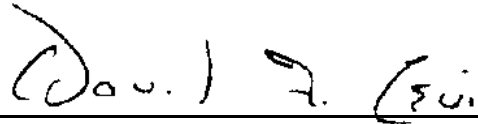
18 This matter was referred to the Honorable Peter A.
19 Nowinski, United States Magistrate Judge, pursuant to 28 U.S.C.
20 §§ 636, et seq., and Local Rule 72-302. On July 28, 2005, Judge
21 Nowinski recommended that plaintiff's action be dismissed. No
22 objections to the findings and recommendation have been filed.

23 The court has reviewed the file and finds the findings
24 and recommendations to be supported by the record and by the
25 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
26 that:

1 1. The Findings and Recommendations filed July 28,
2 2005, are adopted in full; and

3 2. This action is dismissed.

4 DATED: 9/9/2005

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8 DAVID F. LEVI
9 United States District Judge
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